

Checklist for WAC Permanent Rule Adoption

All *emergency* and *expedited* rules must be initiated through the Bureau Commander and the Assistant Attorney General. Please call the WAC Coordinator for instruction.

Division/District Specialist

Name: _____

Phone: _____

WAC Coordinator

Name: Kim Bush, SP&P

Phone: (360) 753-0762, 11 x 154

WAC Rule Title: _____

WAC Number: _____

The District/Division Specialist proposing new WAC rules, or amending or repealing existing WAC rules, shall:

- Submit an IOC through the chain of command to the District or Division Commander and the Assistant Attorney General.
 - Develop and maintain a documentation file containing all information gathered or received regarding the proposed rule.
 - At the conclusion of the rule-making process, submit the documentation file, containing all materials, to Research and Planning for retention, in accordance with RCW 34.05.
- ☐ The IOC and any attachments shall contain the following information:
- ☐ The proposal, its purpose, and anticipated effects. Include reasons why rules or rule changes on this subject are needed and what they will accomplish.
 - ☐ A list of the statute(s) authorizing WSP to adopt or amend rules on the subject and copies of those statutes.
 - ☐ Identification of federal or state agencies that may regulate the subject and the process that was used to coordinate the rule with these agencies.
 - ☐ A statement regarding the process used to develop the new rule (who did you contact, were stakeholders considered?).
 - ☐ How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication (contact person's name, address, telephone, fax).
 - ☐ Whether the proposal will require a Small Business Economic Impact Statement, per RCW 19.85.

Date IOC Sent: _____

The District/Division Specialist is responsible for:

- ☐ The State Environmental Protection Act (SEPA) Checklist and Environmental Impact Statement, if required.
- ☐ The Small Business Economic Impact Statement, if required. (Contact WAC Coordinator if assistance is needed.)

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- ☐ Obtaining Assistant Attorney General and Bureau Commander approval.
- ☐ After receiving approval from the Bureau Commander and the Assistant Attorney General for the proposed change(s), the above information shall be forwarded to the agency WAC Coordinator, in Research and Planning (Mailstop 42600), along with a completed copy of this checklist.

The WAC Coordinator shall:

- ☐ Assign an Administrative Order number.
- ☐ Begin a Public Record file.
- ☐ Submit a copy of the Preproposal Statement of Inquiry (CR-101) to the Assistant Attorney General.
- ☐ Upon approval from the Assistant Attorney General, submit CR-101 to the Chief.
- ☐ Upon the Chief's approval, file CR-101.
- ☐ Place an original filed CR-101 in the Public Record file.
- ☐ Send a copy of the filed CR-101 to the District/Division Specialist and the Attorney General's Office.
- ☐ Place a copy of the Washington State Register(s) proposed and adopted rule(s) in the Public Record file.
- ☐ Call or meet with the District/Division Specialist to set a hearing date, reserve a hearing room, discuss/establish deadlines, and review the proposed text prior to filing the Proposed Rule-Making (CR-102).

The District/Division Specialist shall:

- ☐ Submit finalized copy of proposed text (highlight text additions and show strikeouts for deleted text) to WAC Coordinator by established deadline.

The WAC Coordinator shall:

- ☐ Submit proposed text to Order Typing Service (OTS).
- ☐ Submit proposed text, CR-102, and a letter summarizing the changes to the Assistant Attorney General.
- ☐ Upon approval from the Assistant Attorney General, submit proposed text, CR-102 and an IOC summarizing the hearing/changes to the appropriate Bureau Commander for approval and then to the Chief.
- ☐ Upon the Chief's approval, file CR-102.
- ☐ Place an original filed CR-102 in the Public Record file.
- ☐ File three (3) original CR-102s with the Joint Administrative Rules Review Committee (JARRC).
- ☐ Send a copy of the filed CR-102 to the District/Division Specialist and the Assistant Attorney General.
- ☐ Place a copy of the Washington State Register(s) proposed and adopted rule(s) in the Public Record file.

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The District/Division Specialist shall:

- ☐ Mail copies of the CR-102 proposed WAC to interested parties and stakeholders.
- ☐ Conduct the hearing. (Contact WAC Coordinator if assistance is needed.)
- ☐ Summarize comments in a hearing script and prepare responses.
- ☐ Submit entire file to WAC Coordinator.

The WAC Coordinator shall:

- ☐ Consult with the Assistant Attorney General as needed.
- ☐ Submit any text changes to OTS.
- ☐ Submit final text, Rule Making Order (CR-103), and a letter summarizing the hearing/changes to the Assistant Attorney General. (Skip this step if no changes between CR-102 and CR-103.)
- ☐ Upon the Assistant Attorney General's approval, submit final text, CR-103 and an IOC summarizing the hearing/changes to the appropriate Bureau Commander for approval and then to the Chief.
- ☐ Upon the Chief's approval, file CR-103.
- ☐ Place an original filed CR-103 in the Public Record file.
- ☐ Send a copy of the filed CR-103 to the District/Division Specialist.
- ☐ Place a copy of the Washington State Register(s) proposed and adopted rule(s) in the Public Record file.
- ☐ Verify that all records regarding the rule-making have been collected from the District/Division Specialist and place them in the documentation file.
- ☐ Retain file in an accessible location for public review if requested.

Date Completed: _____

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If you have any questions or need assistance with any step in this process, please call the WAC Coordinator in Research and Planning.

Revised 6/11/03